

FORM PTO-1083

NOV 29 2002

\$EP 1732

PATENT
 Attorney Docket No. 500991
 Date: November 22, 2002

Re Application of: *Mary Swaab*

Application No.: 09/714,318

Filed: November 16, 2000

For: METHOD FOR BLENDING AND FABRICATING PERSONALIZED LIPSTICK

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith is a response to an office action in the subject application.

☐ Applicants claim small entity status of this application under 37 CFR 1.27.
Petition For Extension Of Time

- ☐ Applicants petition for a extension of time under 37 CFR 1.136, the fee for which is \$0.00.
- ☒ Applicant believes that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, Applicant hereby petitions for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.

☐ No additional claim fee is required.

☐ Other:

The claim fee has been calculated as shown below:

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDIT. CLAIM FEE	RATE	ADDIT. CLAIM FEE
TOTAL	33	MINUS	29	=4	x 9=	\$	x 18=	\$72.00
INDEPENDENT	5	MINUS	5	=0	x 42=	\$	x 84=	\$0
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 140=	\$	+ 280=	\$
					TOTAL	\$	TOTAL	\$72.00

☒ Please charge my Deposit Account No. 12-1216 in the amount of \$72.00. A duplicate copy of this sheet is attached.

☐ A check in the amount of \$ is attached.

☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is attached.

- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.

By: *Andrew J. Heinison*

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 One of the Attorneys for Applicant(s)

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PATENT
Attorney Docket No. 500991

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Mary Swaab

Art Unit: 1732

Application No.: 09/714,318

Examiner: Stefan Staicovici

Filed: November 16, 2000

For: METHOD FOR BLENDING AND
FABRICATING PERSONALIZED
LIPSTICK

RESPONSE TO OFFICE ACTION

Commissioner for Patents
Washington, D.C. 20231

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Dear Sir:

In response to the Office Action dated August 27, 2002, please enter the following amendments and consider the following remarks.

AMENDMENTS

IN THE CLAIMS:

Replace the indicated claims with:

- Sub C*
1. (First Amended) A method for custom blending and fabricating a lipstick at a retail establishment to personal specifications of a person, the method comprising:
- receiving a customer demand from the person for a custom blended lipstick at the retail establishment;
- mixing selected quantities of a plurality of selected pigments in accordance with the customer demand to arrive at a pigment mixture;

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